

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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UNITED STATES TELECOM ASSOCIATION,
Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION
and THE UNITED STATES OF AMERICA,
Respondents.

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

No. 00-1428

MOTION FOR LEAVE TO FILE STATUS REPORT OUT OF TIME

Respondent Federal Communications Commission respectfully moves for leave to file the accompanying "Status Report" out of time. The report was due to be filed on Friday, January 23, 2004, but due to an oversight, it was not filed on that date. Commission counsel apologizes for any inconvenience this delay may have caused the Court.

Respectfully submitted,

Lisa E. Boehley
for John E. Ingle
Deputy Associate General Counsel

Lisa E. Boehley
Lisa E. Boehley
Counsel

Federal Communications Commission
Washington, D.C. 20554
(202) 418-1740

January 28, 2004

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

UNITED STATES TELECOM ASSOCIATION, Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION and UNITED STATES OF AMERICA, Respondents.

Certificate Of Service

I, Shirley E. Farmer, hereby certify that the foregoing "Motion for Leave to File Status Report Out of Time" was served this 28th day of January, 2004, by mailing true copies thereof, postage prepaid, to the following persons at the addresses listed below:

Michael F. Altschul
Cellular Telecommunications & Internet Assn.
1250 Connecticut Ave., N.W.
Suite 800
Washington DC 20036

Counsel For: Cellular Telecommunications Industry
Assn.

David Cosson
Kraskin, Lesse & Cosson, LLP
2120 L Street, N.W.
Suite 520
Washington DC 20037

Counsel For: Project Telephone Company, Inc.

Benjamin H. Dickens, Jr.
Blooston, Mordkofsky, Dickens, Duffy & Prendergast
2120 L Street, N.W., Suite 300
Washington DC 20037

Counsel For: South Dakota Independent Telephone
Coalition, Inc.

Donna N. Lampert
Lampert & O'Connor, P.C.
1750 K Street, N.W.
Suite 600
Washington DC 20006

Counsel For: United States Telecom Association

Lawrence E. Sarjeant
United States Telecom Association
1401 H Street, N.W., Suite 600
Washington DC 20005-2164

Counsel For: United States Telecom Association

Richard D. Coit
South Dakota Independent Telephone Coalition
207 East Capitol, Suite 206
P.O. Box 57
Pierre SD 57501

Counsel For: South Dakota Independent Telephone
Coalition, Inc.

Gene DeJordy
Western Wireless Corp.
Suite 100
2001 N.W. Sammamish Road
Issaquah WA 98027

Counsel For: Western Wireless Corporation

Nancy C. Garrison
U.S. Dept. of Justice
Antitrust Div., Appellate Section, Rm. 10535
Patrick Henry Bldg., 601 D Street, N.W.
Washington DC 20530

Counsel For: USA

James Bradford Ramsay
NARUC
1101 Vermont Ave., N.W.
Suite 200
Washington DC 20005

Counsel For: National Ass'n of Regulatory Utility
Comm'rs

David L. Sieradzki
Hogan & Hartson L.L.P.
555 Thirteenth Street, N.W.
Washington DC 20004-1109

Counsel For: Western Wireless Corporation

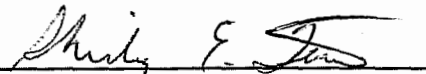
00-1428

L. Andrew Tollin
Wilkinson Barker Knauer, LLP
2300 N Street, N.W.
Suite 700
Washington DC 20037

Counsel For: Dobson Communications Corporation

Rolayne Ailts Wiest
Special Assistant Attorney General
South Dakota Public Utilities Commission
500 East Capitol
Pierre SD 57501

Counsel For: South Dakota Public Utilities
Commission


Shirley E. Farmer